

FILED IN OPEN COURT
U.S.D.C. - Atlanta

OCT 31 2019

JAMES N. HATTEN, Clerk
By: *lgray* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF
AMERICA
v.
TONY WESTLY

Criminal Information
No. 1:19-CR-427

The United States Attorney charges that:

On or about April 20, 2017, in the Northern District of Georgia, the defendant, **Tony Westly**, while an officer of the Plasterers and Cement Masons AFL-CIO, Local 148 (OPCMIA Local 148), a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert to his own use the moneys, funds, securities, property, and other assets of said labor organization in the amount of \$1,150, in violation of Title 29, United States Code, Section 501(c).

Forfeiture

Upon conviction of the offense alleged in this Information, the defendant, **Tony Westly**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of the offense, including, but not limited to, the following:

MONEY JUDGMENT: A sum of money in United States currency, representing the amount of proceeds obtained as a result of the offense alleged in this Information.

If, as a result of any act or omission of the defendant, **Tony Westly**, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

the United States of America intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

BYUNG J. PAK
United States Attorney


SAMIR KAUSHAL
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